

**MINUTES OF
FAIRFAX COUNTY PLANNING COMMISSION
THURSDAY, FEBRUARY 20, 2003**

PRESENT: John R. Byers, Mount Vernon District
Frank A. de la Fe, Hunter Mill District
Joan M. DuBois, Dranesville District
Janet R. Hall, Mason District
Suzanne F. Harsel, Braddock District
John B. Kelso, Lee District
Ronald W. Koch, Sully District
Ilryong Moon, Commissioner At-Large
Peter F. Murphy, Jr., Springfield District
Linda Q. Smyth, Providence District
Laurie Frost Wilson, Commissioner At-Large

ABSENT: Walter L. Alcorn, Commissioner At-Large

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The meeting was called to order at 8:25 p.m. by Chairman Peter F. Murphy, Jr.

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COMMISSION MATTERS

Chairman Murphy noted that the Wednesday, February 19, 2003 Planning Commission meeting had been cancelled due to inclement weather and said new hearing dates for those cases would be posted on the Commission's website at www.fairfaxcounty.gov/gov/planning.

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Commissioner Smyth noted that the Policy and Procedures Committee had met tonight to review the proposed Zoning Ordinance Work Program for 2003. She said the Committee requested several modifications to the proposed work program which would be presented to the Planning Commission on February 27, 2003.

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Commissioner Smyth announced her intent to defer RZ-2002-PR-025 and FDP-2002-PR-025, DSF/Long Metro LLC, from February 26, 2003 to April 30, 2003 and PCA-84-D-049-5 and FDPA-84-D-049-6, Tysons II Land Company, LLC, from February 26, 2003 to March 26, 2003.

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Commissioner Wilson said possible dates for touring the Verizon switching facility at Chain Bridge Road would be February 27 or February 28, 2003 and requested that anyone interested in the tour contact her as soon as possible.

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Commissioner DuBois MOVED THAT THE DECISION ONLY ON 2232-D02-4 AND SE-97-D-020, VERIZON VIRGINIA, BE DEFERRED TO A DATE CERTAIN OF MARCH 6, 2003.

Commissioner Byers seconded the motion which carried unanimously with Commissioner Alcorn absent from the meeting.

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Commissioner DuBois announced that the Environment Committee would meet on Wednesday, February 26, 2003 and Wednesday, March 5, 2003 at 7:00 p.m. in the Board Conference Room.

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In the absence of Commissioner Alcorn, Chairman Murphy MOVED THAT THE PUBLIC HEARING ON ZONING ORDINANCE AMENDMENT (ADU/MID-RISE) BE DEFERRED TO A DATE CERTAIN OF FEBRUARY 27, 2003.

Commissioners Hall and Byers seconded the motion which carried unanimously with Commissioner Koch not present for the vote; Commissioner Alcorn absent from the meeting.

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ARCHITECTURAL ELEVATIONS, FAIRFAX CORNER (FDPA-87-S-039-09)

Commissioner Murphy MOVED THAT THE PLANNING COMMISSION APPROVE THE FAIRFAX CORNER ARCHITECTURAL ELEVATIONS DATED FEBRUARY 12, 2003.

Commissioner Byers seconded the motion which carried unanimously with Commissioner Koch not present for the vote; Commissioner Alcorn absent from the meeting.

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RZ-2002-DR-030 - SEKAS HOMES

FDP-2002-DR-030 - SEKAS HOMES (Decisions Only)

(The public hearing on these applications was held on February 13, 2003. A complete verbatim transcript of the decisions made is included in the date file.)

Commissioner DuBois MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF RZ-2002-DR-030, SUBJECT TO THE

EXECUTION OF THE PROFFERS CONSISTENT WITH THOSE DATED
FEBRUARY 18, 2003.

Commissioner de la Fe seconded the motion which carried unanimously with Commissioner Byers not present for the vote; Commissioner Alcorn absent from the meeting.

Commissioner DuBois MOVED THAT THE PLANNING COMMISSION APPROVE FDP-2002-DR-030, SUBJECT TO THE BOARD'S APPROVAL OF RZ-2002-DR-030.

Commissioner Hall seconded the motion which carried unanimously with Commissioner Byers not present for the vote; Commissioner Alcorn absent from the meeting.

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2232-Y02-30 - DEPT. OF COMMUNITY AND RECREATION SERVICES (Decision Only)
(The public hearing on this application was held on February 13, 2003. A complete verbatim transcript of the decision made is included in the date file.)

Commissioner Koch MOVED THAT THE PLANNING COMMISSION FIND, IN ACCORDANCE WITH *VIRGINIA CODE* SECTION 15.2-2232, AS AMENDED, THAT THE PROPOSAL BY THE FAIRFAX COUNTY DEPARTMENT OF COMMUNITY AND RECREATION SERVICES TO INSTALL ATHLETIC FIELD LIGHTS AT AN EXISTING BALLFIELD AT RACHEL CARSON MIDDLE SCHOOL IS SUBSTANTIALLY IN ACCORD WITH THE PROVISIONS OF THE ADOPTED COMPREHENSIVE PLAN.

Commissioner Hall seconded the motion which carried by a vote of 9-0-2 with Commissioners Byers and Harsel abstaining; Commissioner Alcorn absent from the meeting.

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ORDER OF THE AGENDA

Secretary Harsel established the following order for the agenda items:

1. 2232-P02-20 - FAIRFAX COUNTY PARK AUTHORITY
2. RZ-2002-MV-022/FDP-2002-MV-022 - ROLLING OAKS LLC
3. PCA-79-L-147 - KHAN INTERNATIONAL, LLC
SEA-84-V-009-2 - KHAN INTERNATIONAL, LLC

This order was accepted without objection.

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2232-P02-20 - FAIRFAX COUNTY PARK AUTHORITY - Appl.
to expand the size and use of the existing Towers Park located at 9350

Arlington Boulevard, Fairfax. Tax Map 48-4 ((1)) 3E, 3F.
PROVIDENCE DISTRICT. PUBLIC HEARING.

Mr. David Marshall, Planning Division, Department of Planning and Zoning, presented the staff report, a copy of which is in the date file. He noted that staff recommended that the Planning Commission find the application to be substantially in accord with the provisions of the adopted Comprehensive Plan.

Ms. Kelly Davis, Fairfax County Park Authority, stated that Towers Park was comprised of an 11.7 acre parcel acquired in 2000 and a 15.8 acre parcel acquired in 1979. She explained that the Northern Virginia Regional Park Authority maintained a trail through the park that was linked to the Vienna Metro Station and that Circle Towers maintained a small trail connection. She noted that approval was needed to extend the outfield and to add lights, irrigation and dugouts, to bring the field up to level 1 status. She said the area was being surveyed to determine the best location with the least amount of tree disturbance and explained that the field was used in the spring through summer by softball teams and in the fall by soccer teams. She noted that the proposed lights would be well within County standards of no light spillover greater than .5 footcandles at property lines, and that the field would be open until 11:00 p.m. She said no electrical outlets would be available for public use, a public address system would not be used, and eight more parking spaces would be added. She pointed out that issues raised by citizens at the public hearing held by the Park Authority Board (PAB) on April 16, 2002, concerning the loss of trees and the impact of lights on the adjacent townhouse development had been addressed, and that the proposal had been approved by the PAB on June 26, 2002.

In response to a question from Commissioner de la Fe, Ms. Davis said there was a distance of approximately 120 feet from the field to the closest house.

Chairman Murphy called the listed speaker and recited rules for testimony before the Commission.

Ms. Catherine Randolph, 3186 Cantrell Lane, Fairfax, President, Stonehurst IV Community Association, said her neighborhood would be directly affected by the proposed changes to the field. She questioned their necessity and expressed concern about lights and noise. She requested that the park close no later than 10:00 p.m. and that no loudspeaker system be allowed. She submitted for the record a letter from Mr. Gerhard Salinger, a member of the Stonehurst IV Community Association Board, outlining his concerns about the project, including the need for the proposed facility and asking if there would be anymore public hearings on this matter. (A copy of his letter is in the date file.)

In response Mr. Salinger's question, Commissioner Smyth explained that the Planning Commission had the final authority on a 2232 application; therefore, no further public hearings would be held.

There were no further speakers; therefore, Chairman Murphy called upon Ms. Davis for a rebuttal statement.

Ms. Davis said that there would be no public address system at the park.

Addressing the need for the park, Chairman Murphy said that there was a desperate need for active recreational facilities in the County for both children and adults, and that funding for the project had been approved by citizens in a bond referendum.

Commissioner Smyth noted that the basketball court nearby belonged to Circle Towers and was not part of the park. She said she would defer a decision on this matter for one week to ensure that citizens' concerns were adequately addressed.

There were no further comments or questions from the Commission and staff had no closing remarks, therefore, Chairman Murphy closed the public hearing and recognized Commissioner Smyth for action on this application. (A verbatim excerpt is in the date file.)

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Commissioner Smyth MOVED THAT THE PLANNING COMMISSION DEFER THE DECISION ONLY ON 2232-P02-20 TO A DATE CERTAIN OF FEBRUARY 27, 2003, WITH THE RECORD REMAINING OPEN FOR WRITTEN COMMENT.

Commissioners Hall and Byers seconded the motion which carried unanimously with Commissioner Koch not present for the vote; Commissioner Alcorn absent from the meeting.

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RZ-2002-MV-022/FDP-2002-MV-022 - ROLLING OAKS LLC - Appls.
to rezone from R-1 to PDH-3 to permit residential development at a
density of 2.02 dwelling units per acre (du/ac) and approval of the
conceptual and final development plans. Located on the E. side of Rolling
Rd., approx. 1,600 ft. N. of Alban Rd. on approx. 7.94 ac. of land. Comp.
Plan Rec: 2-3 du/ac. Tax Map 98-4 ((1)) 18 and 98-4 ((3)) 11 pt. MT.
VERNON DISTRICT. PUBLIC HEARING.

Timothy Sampson, Esquire, with Walsh, Colucci, Stackhouse, Emrich and Terpak, PC, reaffirmed the affidavit dated January 13, 2003. There were no disclosures by Commission members.

Mr. Peter Braham, Zoning Evaluation Division, Department of Planning and Zoning, presented the staff report, a copy of which is in the date file. He noted that staff recommended approval of the applications.

In response to a question from Commissioner Byers, Mr. Braham said Proffer 8g provided for a geotechnical study if requested by the Department of Public Works and Environmental Services (DPWES).

Mr. Braham responded to questions from Commissioner Wilson about the geotechnical study and the placement and construction of a trail and sidewalk along Rolling Road.

In response to questions from Commissioner Harsel, Mr. Braham said that the streets in the development would be able to accommodate parking on both sides. Responding to another question from Commissioner Harsel concerning why the school contribution was being made to the high school when it appeared that the elementary and middle schools had a greater need, Mr. Braham said that he would defer to the applicant for an answer to this question.

Mr. Sampson stated that although the subject property was steeply sloped, development could be accommodated as it had been on similar property on each side. He described surrounding residential development and said the applicant's proposal would provide an appropriate transition. He explained that the proposed number of lots had been reduced from 18 to 16 to provide both peripheral buffers and setbacks as well as an extensive area of dedicated open space. He noted that the application provided for on-site stormwater management and best management practices, a public street with sidewalks on both sides, active recreation with a tot lot, as well as contributions to schools, off-site parking improvements, frontage improvements to Rolling Road, and the Housing Trust Fund. He said the development was a high-quality design, compatible with the surrounding neighborhoods, and met the newly adopted residential development criteria. He noted that the application had the support of the Federation of Lorton Communities and had received a "no objection" vote from the Mount Vernon Council. He said he had no objection to revising the proffer to state that a geotechnical study would be required. In response to the question raised earlier by Commissioner Harsel, Mr. Sampson explained how the school contribution had been calculated and said the money could be directed wherever it was most needed.

Responding to a question from Commissioner Smyth, Mr. Sampson said home warranties had been proffered due to geotechnical concerns, especially soil types.

Mr. Sampson responded to a question from Commissioner Wilson about the placement of utilities. Mr. Sampson, Mr. Braham, and Mr. Michael Hummel, agent for the applicant, responded to questions from Commissioner Wilson about Rolling Road frontage improvements.

In response to a question from Commissioner Byers, Mr. Sampson said that since the proposed deceleration lane would be located in the public right-of-way, procurement of an easement was not necessary.

Chairman Murphy called for speakers from the audience.

Mr. Nancy Pugh, 8404 Chillum Court, Springfield, an adjacent property owner, said all of her concerns had been addressed, including planting cedar trees along her property line to address stormwater runoff concerns.

There were no further speakers; therefore, Chairman Murphy called upon Mr. Sampson for rebuttal remarks. Mr. Sampson declined. The Commission had no further comments or questions and staff had no closing remarks, therefore, Chairman Murphy closed the public hearing and recognized Commissioner Byers for action on this application. (A verbatim excerpt is in the date file.)

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Commissioner Byers MOVED THAT THE PLANNING COMMISSION RECOMMEND THE BOARD OF SUPERVISORS APPROVE RZ-2002-MV-022 AND ITS ASSOCIATED CONCEPTUAL DEVELOPMENT PLAN, SUBJECT TO THE EXECUTION OF DRAFT PROFFERS DATED FEBRUARY 19, 2003.

Commissioners Hall and Kelso seconded the motion which carried unanimously with Commissioner Koch not present for the vote; Commissioner Alcorn absent from the meeting.

Commissioner Byers MOVED THAT THE PLANNING COMMISSION APPROVE THE FINAL DEVELOPMENT PLAN FOR RZ-2002-MV-022, SUBJECT TO THE BOARD'S APPROVAL OF THE REZONING AND THE CDP.

Commissioner Hall seconded the motion which carried unanimously with Commissioner Koch not present for the vote; Commissioner Alcorn absent from the meeting.

Commissioner Byers MOVED THAT THE PLANNING COMMISSION APPROVE A VARIANCE, PURSUANT TO THE PROVISIONS OF SECTION 18-401, TO ALLOW A FENCE EXCEEDING FOUR FEET IN HEIGHT ALONG THE ROLLING ROAD FRONTAGE OF THE PROPERTY.

Commissioner Hall seconded the motion which carried unanimously with Commissioner Koch not present for the vote; Commissioner Alcorn absent from the meeting.

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PCA-79-L-147 - KHAN INTERNATIONAL, LLC - Appl. to amend the proffers for RZ-79-L-147 previously approved for a service station and quick service food store to permit the addition of service bays and other site modifications with an overall Floor Area Ratio (FAR) of 0.12. Located on the E. side of Gunston Cove Rd., approx. 230 ft. S. of Lorton Rd. on approx. 34,578 sq. ft. of land zoned C-5. Comp. Plan Rec: Retail. Tax Map 107-4 ((1)) 11A. (Concurrent with SEA-84-V-009-2.) MT. VERNON DISTRICT.

SEA-84-V-009-2 - KHAN INTERNATIONAL, LLC - Appl. under Sect. 4-504 of the Zoning Ordinance to amend SE-84-V-009 previously approved for a quick service food store and service station to permit the

addition of service bays and other site modifications. Located at 9308 Gunston Cove Rd. on approx. 34,578 sq. ft. of land zoned C-5. Tax Map 107-4 ((1)) 11A. (Concurrent with PCA-79-L-147.) MT. VERNON DISTRICT. JOINT PUBLIC HEARING.

Mr. David Hunter, agent for the applicant, reaffirmed the affidavit dated February 1, 2003. There were no disclosures by Commission members.

Mr. Peter Braham, Zoning Evaluation Division, Department of Planning and Zoning, presented the staff report, a copy of which is in the date file. He noted that staff recommended approval of the applications.

Mr. Hunter stated that the contractor hired by the applicant to add a fourth bay to his service station had absconded with a substantial sum of money without obtaining necessary permits or completing the work. He said in order to rectify this situation, the subject applications had been filed. He noted that a park and ride lot adjacent to the subject property had been recently constructed by the Virginia Department of Transportation and that they had installed landscaping as shown on the special exception plat. He said seats in the quick-service food store had been removed after the applicant received notice that they were in violation of the Zoning Ordinance. He said in response to a concern expressed by the Mount Vernon Planning and Zoning Committee and the Federation of Lorton Communities, the applicant had agreed to a condition prohibiting the storage of junk vehicles on the property. He requested that Development Condition Number 5, requiring the replacement of the canopy lights, be deleted because the lighting had been in place for quite some time and there was no residential development nearby.

In response to a question from Commissioner Byers, Mr. Hunter said that the applicant proposed to add a fourth bay by demolishing the wall on the north side of the building, which would fit well within the footprint of the special exception plat.

Responding to another question from Commissioner Byers, Mr. Braham suggested that Condition Number 5 be revised to state that in the event the canopy lighting was replaced, it had to comply with the standards of the Zoning Ordinance in effect at the time of installation.

Commissioner Wilson noted that a Zoning Ordinance Amendment on outdoor lighting standards was pending and recommended that if the existing lighting did not meet current standards, Condition Number 5 be revised to require that the lighting meet the standards of the newly adopted Amendment.

In response to a question from Commissioner Wilson, Mr. Hunter said it was his understanding that the Land Use Committee of the Lorton Federation of Communities was not in favor of the application because of a concern about the storage of junk cars. He said the condition prohibiting the storage of junk cars addressed this issue.

February 20, 2003

Chairman Murphy called for speakers from the audience, but received no response. He noted that no rebuttal was necessary.

Commissioner Byers requested that the Commission take a short recess to allow him time to ensure that all issues were properly addressed.

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The Commission recessed at 10:00 p.m. and reconvened in the Board Auditorium at 10:10 p.m.

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There were no further comments or questions from the Commission and staff had no closing remarks, therefore, Chairman Murphy closed the public hearing and recognized Commissioner Byers for action on these applications. (A verbatim excerpt is in the date file.)

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Commissioner Byers MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS THAT PCA-79-L-147 BE APPROVED, SUBJECT TO THE PROFFERS DATED FEBRUARY 1, 2003.

Commissioner Hall seconded the motion which carried unanimously with Commissioner Koch not present for the vote; Commissioner Alcorn absent from the meeting.

Commissioner Byers MOVED THAT THE PLANNING COMMISSION RECOMMEND THE BOARD OF SUPERVISORS APPROVE SEA-84-V-009-2, SUBJECT TO THE DEVELOPMENT CONDITIONS DATED FEBRUARY 6, 2003, CONTAINED IN APPENDIX 2 OF THE STAFF REPORT, WITH THE FOLLOWING CHANGES:

CHANGE CONDITION NUMBER 5 TO READ: "THE EXISTING CANOPY LIGHTING SHALL BE SHIELDED TO BE FULL CUT-OFF WITHIN 18 MONTHS OF APPROVAL OF THIS SPECIAL EXCEPTION AMENDMENT SO THAT ALL GLARE IS MINIMIZED AND DIRECTED DOWNWARD WITH NO GLARE EMITTING ABOVE THE BOTTOM HORIZONTAL PLANE OF THE SHIELDING. THE FASCIA OF THE CANOPY SHALL NOT BE LIGHTED EXCEPT FOR AN INTERNALLY ILLUMINATED SIGN. THE CANOPY LAMPS SHALL BE LIMITED TO 400 WATTS EACH AND AT THE TIME OF INSTALLATION, SHALL MEET THE STANDARDS OF THE ZONING ORDINANCE IN EFFECT AT THE TIME OF INSTALLATION."

DELETE DEVELOPMENT CONDITION NUMBER 14.

PCA-79-L-147 - KHAN INTERNATIONAL, LLC
SEA-84-V-009-2 - KHAN INTERNATIONAL, LLC

February 20, 2003

Commissioner Hall seconded the motion which carried unanimously with Commissioner Koch not present for the vote; Commissioner Alcorn absent from the meeting.

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The meeting was adjourned at 10:13 p.m.

Peter F. Murphy, Jr., Chairman

Suzanne F. Harsel, Secretary

For a verbatim record of this meeting, reference may be made to the audio and video recordings which may be found in the Office of the Planning Commission of Fairfax County, Virginia.

Minutes by: Linda B. Rodeffer

Approved on: December 1, 2004

Linda B. Rodeffer, Clerk to the
Fairfax County Planning Commission